

Service Date: April 14, 1981

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

IN THE MATTER of the Application     ) UTILITY DIVISION  
of the CITY OF SHELBY To Increase    ) DOCKET NO. 81.2.16  
Water Rates.                            ) INTERIM ORDER NO. 4789

FINDINGS OF FACT

1. On February 11, 1981, the City of Shelby (Applicant) filed an application for authority to increase water rates, on a permanent basis, by approximately 59%, equaling a revenue increase of approximately \$149,400.
2. Concurrent with the filing of the permanent application for increased rates, the City filed an application for interim increase in rates of approximately 12.5%, equaling a revenue increase of approximately \$31,950 or 21% of the proposed permanent increase.
3. The City alleges the proposed interim increase in rates is necessary to prevent default on its Bond Ordinance No. 549.
4. The Commission's examination of the City's filing indicates that the City is in need of an interim increase in rates to prevent a technical deficit of the City's bonding ordinance.
5. The City's exhibits indicate an interim annual revenue increase of \$31,950 is justified and prevents the City from defaulting on its Bond Ordinance No. 549.

### CONCLUSIONS OF LAW

1. The Commission has jurisdiction over parties and the subject matter in this proceeding.
2. The Commission may, in its discretion, temporarily approve increases pending a hearing or final action. If the final action is to disapprove the increase, the Commission shall order a rebate to all consumers for the amount collected retroactive to the date of the temporary approval, 69-3-304, MCA.
3. The application for a permanent increase will be noticed for a hearing at a later date.

### ORDER

1. IT IS HEREBY ORDERED that Applicant file tariff schedules increasing rates by a uniform percentage of approximately 12.5% to all customer classes.
2. The effective date shall be for water service rendered on and after April 13, 1981.
3. The increase granted herein is subject to rebate should the final order in this docket determine that a lesser amount than authorized by this order is required.
4. In the event a rebate is directed by the final order in this docket, provision shall be made in that order to cause all uncollected rebates to be escheated to the State of Montana in the manner provided by law.

vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

---

GORDON E. BOLLINGER , Chairman

---

HOWARD L. ELLIS, Commissioner

---

JOHN B. DRISCOLL, Commissioner

ATTEST:

Madeline L. Cottrill  
Secretary

(SEAL)

NOTE:        You may be entitled to judicial review of the final decision in this matter. If no Motion For Reconsideration is filed, judicial review may be obtained by filing a petition for review within thirty (30) days from the service of this order. If a Motion For Reconsideration is filed, a Commission order is final for purpose of appeal upon the entry of a ruling on that motion, or upon the passage of ten (10) days following the filing of that motion. cf. the Montana Administrative Procedure Act, esp. Sec. 2-4-702, MKA; and Commission Rules of Practice and Procedure, esp. 38.2 4806, ARM.